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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/20/2001

Ragulan Sinnarajah

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11/07/2003

Qualcomm Incorporated  
Patents Department  
5775 Morehouse Drive  
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EXAMINER

TRINH, TAN H

ART UNIT

PAPER NUMBER

2684

DATE MAILED: 11/07/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/933,978

Applicant(s)

SINNARAJAH ET AL.

Examiner

TAN TRINH

Art Unit

2684

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-17 and 19 is/are allowed.
- 6) ☒ Claim(s) 18, 20-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

The information disclosure statement filed 01/14/2002 and 08/28/2003 has been received and placed of record in the file.

### ***Allowable Subject Matter***

1. Claims 1-17 and 19 are allowed.

### ***Reasons for allowance***

2. The following is an examiner's statement of reasons for allowance:

The reference of Johnson (U.S. Pub.No.20030165155) teaches the broadcast system with paging channel (see fig. 1 paging channel 41) and Comer (U.S. Patent No. 5,873,0430) teaches the broadcast system the MSC can send pages and called paging message (see col. 8, lines 9-24). However, Johnson, Comer and the prior art of record fails to show, the method comprising: receiving a HSBS channel modulating a first frequency; and monitoring a timer status for the HSBS channel, and if the timer status is expired: performing a broadcast service registration with a sector transmitting the HSBS channel; setting status of the timer for the HSBS channel to enabled; and starting a timer for the HSBS channel, as cited in claim 1. And the receiving a broadcast service registration from the subscriber station at a sector; adding a paging identifier to the subscribers' station paging set; and starting a timer for the paging identifier, as cited in claim 6. And also comprising: determining a status of the subscriber station's paging set;

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determining paging channels on which to page the subscriber station in accordance with the determined status of the subscriber station's paging set; and paging the subscriber station on all determined paging channels, as cited in claim 11,

In addition, the prior art of record fails to show, the method comprising:

determining the frequency that the subscriber station monitors upon power up; determining all frequencies modulated by broadcast channels; determining paging channels on which to page the subscriber station for each of the frequencies; and paging the subscriber station on all determined paging channels, and if at least one broadcast channel is transmitted, then: determining all frequencies modulated by the at least one broadcast channels to which the subscriber station is subscribed; determining paging channels on which to page the subscriber station for each of the frequencies; and paging the subscriber station on all determined paging channels, as cited in claim 19.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an

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application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claim 18 is rejected under 35 U.S.C. 102(e) as being anticipated by Johnson (U.S.

Pub.No.20030165155).

Regarding claim 18, Johnson teaches the method for paging (see fig. 1, item 41) a subscriber station in a broadcast communication system (see fig.1 and abstract lines 9-10), comprising: modulating (see fig. 2A, encoder 110-1) all frequencies of a sector with a broadcast channel (see fig. 2A item 120, and abstract lines 9-10) determining paging channels (see fig. 1, paging channel 41, page 3, session [0036]) on which to page the subscriber station for each of the frequencies (see fig. 1, paging channel 41, page 3, session [0036]) ; and paging the subscriber station on all determined paging channels (see page 4, session [0053]).

5. Claims 20-21 are rejected under 35 U.S.C. 102(e) as being anticipated by McKenna (U.S. Patent No. 6,594,498).

Regarding claim 20, McKenna teaches the method for paging a subscriber station in a broadcast communication system (see figs. 1A and 7, col. 1, lines 56-63), comprising: determining a frequency that the subscriber station monitors upon power up (see col. 3, lines 63 – col. 4, lines 3) , and if at least one broadcast channel is transmitted (see col. 16, lines 47-48),

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then: determining all frequencies modulated by the at least one broadcast channels to which the subscriber station is subscribed (see col. 14, lines 60-col. 15, lines7);  
determining paging channels on which to page the subscriber station for each of the frequencies;  
and paging the subscriber station on all determined paging channels (see col. 7, lines 61-col. 8, lines 4).

Regarding claim 21, McKenna teaches determining paging channel on which to page the subscriber station for a frequency that the subscriber station monitors upon power-up (see col. 3, lines 63 – col. 4, lines 3); and paging the subscriber station on the determined paging channel if no broadcast channel is transmitted (see col. 10, lines 40-46).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Comer (U.S. Patent No. 5,873,0430) discloses system for communicating messages via a forward overhead control channel.

Lorang (U.S. Patent No. 5,548,814) discloses personal information management system with paging link.

O'Neal (U.S. Pub No. 20010048735) discloses apparatus and method for channel-transparent multimedia broadcast messaging.

6. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

**or faxed to:**

**(703) 872-9314, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).*

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tan Trinh whose telephone number is (703) 305-5622. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nay Maung, can be reached at (703) 308-7745.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600 Customer Service Office** whose telephone number is **(703) 306-0377**.

Tan H. Trinh  
Art Unit 2684  
October 22, 2003

